

CITY OF WASHINGTON

PLANNING & DEVELOPMENT DEPARTMENT

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MEMORANDUM

TO: Mayor Manier and City Council
FROM: Jon R. Oliphant, AICP, Planning & Development Director
SUBJECT: First Reading Ordinance – Hawk Street ROW Vacation
DATE: April 30, 2019

Summary: Joe LaHood has requested the vacation of the Hawk Street right-of-way. This street serves Phase 1 of the Eagle Point Condos and a City-owned detention basin. Vacating it would allow for additional flexibility with its planned Phase 2 development to the west and north of Hawk Street and remove a street from the City's maintenance responsibilities. Staff recommends approval of the vacation ordinance.

Background: Joe LaHood recently finalized Phase 1 of the Eagle Point Condos on two tornado-impacted lots on the north side of Eagle Avenue east of Hawk Street. That development includes 18 condominium units consisting of eight duplexes and two single-family structures. Two 12-unit apartment buildings had been there pre-tornado. Mr. LaHood has begun focusing on Phase 2 of this redevelopment, which includes the 1505 Eagle parcel that also had a 12-unit apartment building, and a 0.22-acre vacant parcel at the north end of Hawk Street.

Hawk Street only serves the surrounding parcels owned by Mr. LaHood as well as a City-owned detention basin immediately north of 1505 Eagle. It was originally intended continue north to Flossmoor but that plan changed prior to eventual subdivision construction. A request is currently being considered to rezone the basin parcel from R-1A (Single-Family Residential) to R-2 (Multi-Family Residential) as well as a solicitation for bids to purchase the basin property. Mr. LaHood's draft site plan, including the redesign of the basin parcel if it were to be sold, would allow for 14 condo units consisting of seven duplexes. The total for the development would have 32 units compared to the 36 units that were on the site pre-tornado.

The only utility in the right-of-way is storm sewer. The vacation ordinance would grant the City any perpetual utility maintenance rights and would not allow for anything within the right-of-way except for the pavement and vegetation. The vacation would allow for the right-of-way to act as a private drive to serve each of the units. Vacating the right-of-way would eliminate the City's cost to maintain the street. Due to these reasons, staff supports the vacation request.

Attached is the vacation ordinance and vacation plat. The Public Works Committee previously recommended that a vacation be granted at its meeting on March 4. A first reading ordinance is scheduled for May 6 and a second reading will be scheduled for May 20.

ORDINANCE NO. _____

(Approval of this ordinance would vacate the Hawk Street right-of-way in Grandyle Arms, Section One subdivision in Washington Estates).

AN ORDINANCE VACATING HAWK STREET, LOCATED IN GRANDYLE ARMS, SECTION ONE SUBDIVISION IN THE CITY OF WASHINGTON, TAZEWEILL COUNTY, ILLINOIS.

WHEREAS, it is in the best interest of the City of Washington that the right-of-way hereinafter described be vacated:

Hawk Street in Grandyle Arms, Section One a subdivision of a part of the Southeast Quarter of Section Fifteen (15) Township Twenty-Six (26) North, Range Three (3) West of the Third Principal Meridian, Tazewell County, Illinois.

WHEREAS, the relief to the public from further burden and responsibility of maintaining or constructing such portion of the street justifies the vacation of said portion of said street; and

WHEREAS, it has been determined that no compensation shall be required from the abutting property owners; and

WHEREAS, it is determined that the entire street in question is located within the boundaries of the City of Washington, and no portion thereof lies within an unincorporated area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHINGTON, TAZEWEILL COUNTY, ILLINOIS, as follows:

Section 1. That this vacation notwithstanding, the City retains to itself an easement to maintain, operate, repair and replace by itself, or by any licensee or holder of franchise from the City, any poles, wires, pipes, conduits, storm sewer mains, sanitary sewer mains, water mains, or any other facility or equipment for the maintenance or operation of any utility or service now located or subsequently placed within the described portion of the alley to be vacated by this ordinance. No building, structure, or other improvement other than vegetation or paving may be placed within the confines of the easement in such a manner as to interfere with the rights hereby reserved by the City. Vegetation or paving damaged or removed by the City when exercising the rights hereby reserved shall be repaired or replaced at the expense of the owner(s) of the adjacent property or their successors.

Section 2. That the above legally described property be, and the same is hereby vacated.

Section 3. That all ordinances or parts thereof in conflict with the provisions of this ordinance be and the same are hereby repealed.

Section 4. That this ordinance shall be in full force and effect from and after its passage and approval by three-fourths (3/4) of the City Council now holding office.

Section 5. That the City Clerk is directed to record a certified copy of this ordinance in the Office of the Recorder of Deeds of Tazewell County, Illinois.

PASSED AND APPROVED in due form of law at a regular meeting of the City Council of the City of Washington, Tazewell County, Illinois, on the _____ day of _____, 2019.

AYES: _____

NAYS: _____

Mayor

ATTEST:

City Clerk

